

MRS. HIGGINS GOT DAMAGES

**GOT A JUDGMENT OF \$100 AGAINST
S. S. KRESGE.**

The Ground of the Suit Was the Humiliation to Which Mrs. Higgins Was Subjected When She Was Detained by Kresge as a Shoplifter.

In Justice W. O. Davis' court yesterday S. S. Kresge, proprietor of the nickel store at 273 Main street, pleaded guilty to a charge of assault under the small offense law. The plea was a sequel to the prosecution instituted on a warrant sworn out by Mrs. J. Higgins of 102 Carolina street, a patron of the store, who was accused by Kresge of stealing two pairs of socks while making purchases there. The defendant was fined \$5. Mrs. Hight, a neighbor of Mrs. Higgins, was in the store with her at the time of the occurrence. Mrs. Hight's evidence and that of other witnesses was that Kresge caught Mr. Higgins by the arm and, after shaking her, accused her of theft and made her pay \$1 for her release. W. H. Bingham witnessed the occurrence, and when he described it on the stand indignantly criticised the action of the storekeeper. A suit for damages instituted by M. W. Higgins, husband of the woman, at the time of issuance of the warrant, was heard after the charge against Kresge had been disposed of. The same evidence was introduced. The circumstance of Kresge having seized Mrs. Higgins rudely and of accusing her of being a thief was brought out by Mrs. Hight, Bingham and other witnesses, and upon the humiliation of Mrs. Higgins by this conduct on the part of the storekeeper, her claim for damages was based. Attorneys Hancock and Poston criticised Mr. Kresge in sharp tones, and demanded judgment for \$100, the largest amount within the jurisdiction of the court. After considering the matter for a few moments Squire Davis said he could not see anything to justify the storekeeper's conduct, and gave a judgment of \$100 in favor of Mrs. Higgins. Kresge has three days in which to appeal.

CITATION (MLA STYLE)

Commercial Appeal, 21 Nov. 1897, p. 5. *NewsBank: America's News - Historical and Current*, infoweb.newsbank.com/apps/news/document-view?p=AMNEWS&docref=image/v2%3A140AF477DC6AB403%40EANX-16C8B3210A8324B7%402414250-16C82FD9E33504E8%404-16C82FD9E33504E8%40. Accessed 29 Aug. 2021.

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